

## **PUBLIC RECREATION AND TOURISM**

### **Goals**

**Public Use Opportunities.** Lands will be provided for accessible outdoor recreational opportunities with well-designed, maintained and conveniently located recreation facilities. In addition, undeveloped lands should be provided for recreation pursuits that do not require developed facilities. These opportunities shall be realized by:

1. Developing a State Park System of recreation areas, trails, waysides, rivers and sites that provide a wide range of year-round outdoor recreation opportunities for all ages, abilities and use preferences in close proximity to population centers and major travel routes.
2. Providing recreation opportunities on less developed land and water areas both within the State Park System as well as areas outside the system, which serve multiple purposes.
3. Encouraging commercial development of recreation facilities and services through land sales, leases, and permits where public recreation needs can most effectively be provided by private enterprise. In some units, the plan specifically allows for commercial recreation leasing.
4. Providing for public open space that is readily accessible to communities and is sufficient to meet existing and future needs for public recreation land in developed areas.
5. Protecting scenic beauty.

### **Management Guidelines**

#### **A. Roles of Different Public Land Owners in Providing Public Recreational Opportunities.**

Generally, the state's role is to retain and manage land supporting recreational opportunities of regional or statewide significance. The state and federal governments are most capable of providing recreational opportunities that require large land areas, while the borough and cities are generally better able to provide and manage community recreation. To recognize municipalities' roles in providing community recreational needs, the state should consider transferring some state recreation sites near existing communities to municipalities. The selection of these sites shall be agreed to by the municipality and the state and shall be contingent on the municipalities' commitment to develop and maintain the recreational values of the sites as required by AS 38.05.810.

**B. Kenai River Watershed.** For guidelines that apply to units within the Kenai River watershed, see Chapter 3, Region 4, *Guidelines for Units Located within the Kenai River Drainage*.

**C. State Lands Acquired Through Exxon-Valdez Oil Spill (EVOS) funds.** For guidelines that apply to lands acquired with EVOS funds, see the *Fish and Wildlife Habitat and Harvest* section in this chapter.

**D. Public Use Sites.** Application for uses that negatively affect units designated Public Recreation and Tourism--Public Use Site should be denied. Uses that enhance the ability of the public to use these units (such as airstrip development, public use cabins, or docks) may be allowed on a case-by-case basis if consistent with the management intent for the public use site and if there is a demonstrated significant public need.

The list of units that are designated Public Recreation and Tourism--Public Use Site is not inclusive. Units were given this designation using the best available information. As use patterns change and more information becomes available, new sites are likely to be identified. DNR should work with ADFG and DOT/PF to identify additional sites.

For sites that receive extensive use and require active management now or in the future, the plan recommends adding these sites to the State Park System. See recommendations under each unit in Chapter 3 for units recommended for addition to the State Park System.

Sites that receive primarily neighborhood and local use will not be proposed for addition to the State Park System. In cases where these sites are already in the State Park System, they may be recommended for closure. Such sites are expensive to maintain, do not serve a statewide need, and are best managed by local municipalities. Conveyance of such sites to municipalities is consistent with this plan.

**E. Commercial Recreation Leasing on Public Land.** There are two DNR processes for leasing state land for commercial recreational facilities - one process is described by AS 38.05.073, the other by AS 38.05.070 and .075. Unless Chapter 3 specifically requires the .073 commercial leasing process for a management unit, applications may be adjudicated under either process. DNR will determine the appropriate process on a case-by-case basis. DOT/PF has its own leasing process that applies to land it manages in rights-of-way, airports, materials sites, and other lands and facilities it manages.

1. *The .070/.075 Process.* The .070/.075 process is simpler and faster, but it offers the state less flexibility in choosing the lessee and in structuring lease payments. It is generally suited to small projects with few anticipated impacts. The management intent for the unit need not specifically state that this type leasing is an allowed use for it to be authorized under this process.

2. *The .073 Process.* The .073 process is longer, but it allows submission of alternative proposals for a particular lease, requires more public involvement in reviewing a proposed lease, and offers the state more choices for structuring payments on the lease. The .073 process is generally suited to large projects that are likely to have significant impacts on surrounding areas. Under the .073 process, DNR will give public notice that

it intends to solicit proposals for a lease. DNR will then prepare a “request for proposals” that must include specific information on the lease and must be advertised in state and local newspapers. Once a prospective lessee has been chosen, DNR must give public notice and hold public meetings on the preliminary decision to issue the lease.

For a .073 lease to be considered in a unit, the plan must specifically allow for this type of leasing in a given unit before it can be authorized.

DNR may impose eligibility standards, including proof of the developer's financial backing and capability, experience in this type of development, ability to meet bonding or insurance requirements, and ability to comply with resource and environmental analysis requirements.

The .073 process requires that potential economic, social, and environmental impacts of the proposed project must be evaluated. DNR may require the prospective developer to fund additional studies; the studies must involve the appropriate state agencies, and ADFG must approve any studies involving fish or game.

3. *Commercial Recreation Leasing within State Parks.* Within a unit of the State Park System, commercial recreation facilities may be authorized through a management plan prepared under AS 41.21.302(c) or as a park concession under AS 41.21.027.

4. *Floating Commercial Recreation Facilities.* Floating commercial recreation facilities must meet the *Tidelands, Submerged Land and Shorelands* guidelines in this chapter.

**F. Authorizations Adjacent to Public Recreation Facilities.** Authorizations may be allowed adjacent to public recreation facilities, including public use cabins, lodges, or fuel stops, if DNR determines that the two uses can be made compatible by design, siting or operating guidelines; or if there is no feasible and prudent alternative for the activity. This guideline also applies to sites reserved for future recreation facilities. DNR's determination will be made after consultation with the public recreation facility manager.

**G. Scenic Resources.** Facilities on state-owned uplands and tidelands should be located and designed to blend in with the natural surroundings. Stipulations to accomplish this guideline may be attached to a development plan to address location, size, color, materials, requirements for vegetative or topographic screening, or other measures as appropriate.

**H. Tidelands and Submerged Lands Adjacent to National Parks and Refuges.** Wilderness values on tidelands and submerged lands adjacent to Kenai Fjords, Lake Clark, and Katmai National Parks are a priority because they support the tourism industry. Tidelands and submerged lands adjacent to Kenai Fjords National Park and Lake Clark National Park are designated Special Use Lands. See Appendix D for more information and maps of the Special Use Land designations.

**I. Public Use Cabins (PUC) and Hut-to-Hut Systems.** In addition to public use cabins being constructed on land managed by the DPOR, PUCs may be authorized on lands managed by the Division of Mining, Land and Water. Cooperation will be sought with the borough, federal government, DPOR, or non-profit organizations for construction and maintenance of the PUCs. Hut-to-hut systems that are run as private profit-making recreational facilities or as non-profit facilities may also be authorized along existing and future trails, taking into consideration impacts on existing and future public use of the trails, trailheads, and hut sites; habitat, water quality, and scenic values along the trails and hut sites; and the long-term management implications of trails, huts, and trailheads that will result from the increased use.

## **J. Seward Highway Scenic Byway<sup>1</sup>**

The National Scenic Byways Program was established to recognize unique and special roadways in the U.S. The Seward Highway has been designated a National Scenic Byway. One of the requirements for the Scenic Byway is the development of a management plan for the road, called for in the Seward Highway Corridor Partnership Plan (1998). The guidelines described below for units adjacent to the Seward Highway are intended to be consistent with the Corridor Plan. Haphazard development poses a significant threat to the scenic character of the Seward Highway. The percent of the viewsheds along the Seward Highway that have been significantly degraded is relatively low. Only a few areas of tightly clustered development, or nodes break the long stretches of highly scenic terrain. Many of these nodes of development on the Kenai Peninsula are located in areas with lower scenic values (because of thick forest in the foreground or other factors) or are on the opposite side of the road from scenic vistas. The Corridor Partnership Plan recommends formally encouraging this land use pattern by designating roadsides as one of three different area types: Nodal Development Areas, Corridor Development Areas, and Corridor Preservation Areas. KAP has done this and applied specific management intent to each zone as described below. Also see the Seward Highway Scenic Byway recommendation in Chapter 4.

### *1. Nodal Development Areas*

Nodal Development Areas are concentrated centers of business and commerce. Areas designated Nodal Development (identified on a unit-by-unit basis in Chapter 3) are those that are either already developed or which are targeted for future growth through conveyances to municipalities, or have management intent that allow for this type of development. Development in these areas will maintain a buffer of 50 feet<sup>2</sup> measured outward from the boundary of the road right-of-way. Signage along the road within Nodal Development Areas will be located within the public right-of-way and thus must consist only of Tourist-Oriented Directional Signs (TODS). The businesses will therefore have

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<sup>1</sup> The Seward Highway was designated as an All-American Road in July 2000 (after the plan was adopted) and for this reason plan guidelines are still referred to as "Scenic Byway" guidelines. The change in designation of the Seward Highway does not change the intent of these guidelines.

<sup>2</sup> Under the State Omnibus Act and the deeds the State received from the federal government, DOTPF manages a 300-foot right-of-way for most of the length of the Seward Highway. There are exceptions in some developed areas where the right-of-way is narrower. The US Forest Service interprets the right-of-way width along the highway to be only 200 feet. The Scenic Highway buffers described in this section of the plan use the outside boundary of the 300-foot right-of-way as the inside edge of the scenic buffers.

adequate publicity and visibility, but the overall impact will be one of an ordered district. See Guideline 4 below for additional intent for Nodal Development Areas.

## *2. Corridor Development Areas*

Corridor Development Areas are acceptable for low-density dispersed development. The purpose of this type of area is to allow development that will not impact the scenic qualities of the corridor. In Corridor Development Areas, a scenic buffer strip measured 150 feet outward from the boundary of the Seward Highway right-of-way will be retained in state ownership.

The scenic buffer is dedicated to the public for the purpose of protection of the scenic and natural aspects of the Seward Highway. The scenic buffer shall remain in its undeveloped, natural state, except to provide reasonable access from the highway to private or public lands on either side of the highway. These access roads shall serve several individual road or driveway access needs by a single access through the scenic buffer wherever possible, to avoid proliferation of individual roads or driveways through the buffer. Physical access from the highway to private or public lands shall be located not closer than 500-foot intervals. Access to private or public lands should be located in such a manner as to provide access to either side of the highway at one point of intersection.

No utility line or lines may be placed or constructed within the scenic buffer, except to directly cross the scenic buffer to serve adjacent properties, or they may be placed along the exterior 25 feet of the scenic buffer (the portion farthest from the highway right-of-way) to serve any properties as long as the primary function of the buffer is not impaired. Signage within the buffer should have the same size, design, and placement restrictions as required by DOTPF's Tourist-Oriented Directional Sign (TODS) program. See potential exceptions under Guideline 4 below.

## *3. Corridor Preservation Areas*

Corridor Preservations Areas will acknowledge some of the large, undeveloped and relatively untouched areas that still exist along the corridor. These areas (identified in Chapter 3 on a unit-by-unit basis) should remain free of development that is visible from the highway, and should remain in state ownership. Spectacular views, important wildlife areas, and areas sensitive to or inappropriate for development are some of the criteria used to define these areas. Business and residential development are not appropriate in these areas. Utilities, communication sites, and other public or private infrastructure projects should be carefully designed to avoid or minimize visual intrusions. State Park and U. S. Forest Service facilities should be of a minimal scale and number. The intent for Corridor Preservation Areas is not to preclude management actions that may restore or preserve a viewshed.

## *4. Buffers in Nodal Development and Corridor Development Areas*

The 50- and 150-foot buffer described above in Nodal Development and Corridor Development Areas should be reserved and retained in state ownership as buffer strips. A wider or narrower buffer strip can be reserved, depending on vegetative cover, the view from the roadway, topography, highway noise levels, expected future needs for additional transportation facilities, or other relevant factors. No buffer strip need be reserved in Nodal Development Areas if (1) the parcel being disposed of is an isolated one already surrounded by private land cleared and developed to the right-of-way so that no reasonably continuous buffer strip is feasible; or (2) existing land use on adjacent parcels, or existing land use policy as set forth in a local comprehensive plan clearly indicates that retaining a buffer strip is unnecessary or undesirable.

*5. Complementary Uses in all Three Areas*

Complementary uses such as footpaths, bike trails and bridle trails are allowed within the scenic buffers and Corridor Preservation Areas but will be constructed with maximum consideration given to maintaining the integrity of the buffers and areas.

*6. Communication Sites*

Communication sites should be located to reduce or avoid prominent visibility from the Seward Highway Scenic Byway. Concurrent use and consolidation of communication sites is encouraged.

## **Resource Allocation Summary**

**A. Background.** The Kenai Peninsula is one of the most popular tourist recreation destinations statewide. Activities include sightseeing, fishing, camping, hunting, boating, hiking, cross-country and backcountry skiing, snow machining and all-terrain vehicle use. Chapter 3 describes how many units with high potential for recreation will be retained in state ownership and managed with public recreation and tourism as one of the primary designated uses. In many cases, the management intent also provides for habitat protection.

**B. State Park System.** The plan recommends several additions to the State Park System for recreation sites, waysides, marine parks, and additions to the Kenai River Special Management Area. In addition, several EVOS parcels are also proposed for addition to this system<sup>3</sup>. Two hundred and seventy-one units are designated or co-designated Public Recreation and Tourism (Dispersed Use and Public Use Site) totaling approximately 305,000 acres of uplands and 1.1 million acres of tidelands. Of this total area designated, almost 88,000 acres are recommended for addition to the State Park System of which, almost 11,000 acres are recommended for addition to the Kenai Rivers Special Management Area. See Chapter 4, Table 4.4 and 4.5 for a list of units recommended for addition to the system.

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<sup>3</sup> Units of the State Park System that are already legislatively designated are not addressed by this plan because they are managed under Title 41 rather than 38. Portions of the system that were added administratively rather than through legislation are, however, addressed by the plan.

**C. Highways and Trails.** Because of the scenic mountains and waters adjacent to the two major highways crossing the planning area, sightseeing, camping and picnicking along the highways are very popular. Scenic highlights along the Seward Highway include Six Mile and Canyon Creeks, Summit Pass with its flanking mountains and alpine lakes, Turnagain Arm, Trail Lakes, and Kenai Lake. The Sterling Highway also offers spectacular views of Cook Inlet, the Kenai River, and Kenai Lake. State-owned units along the Seward and Sterling Highways have been evaluated for their recreational and tourism potential, and many of them have been designated Public Recreation and Tourism - Dispersed Use. In addition, segments of the Seward Highway have been placed into one of three categories consistent with its Scenic Byway designation: Nodal Development, Corridor Development, and Corridor Preservation. In addition to offering recreational and tourism opportunities themselves, the highways provide access to many of the trail systems in the planning area. Activities on these trails include backcountry skiing, cross-country skiing, hiking, mountain biking, camping, hunting, dog sledding and snowmachining. The Iditarod National Historic Trail System passes through parts of the Kenai Peninsula. To ensure continued opportunities for public use of trails, recreational and historic trails will be protected through state ownership of trail corridors. A state-owned corridor will protect the Iditarod National Historic Trail System. If the land over which the trail passes is conveyed to a municipality, an easement or other reasonable means of public access will be reserved. See also the *Trails and Access* section later in this chapter.

**D. Commercial Recreation Leasing.** The plan provides for additional opportunities for leasing of state lands for commercial recreation by specifically identifying units for this type of use. In addition, most of the plan area is available for consideration of applications for guide camps that typically accommodate sport fishers and hunters. These camps can be authorized for up to five years. Other state lands are also available for authorization that support commercial recreation facilities on adjacent private lands such as trails, docks, water and septic systems.

**E. Recreation and Tourism Designations.** Although many of the areas of concentrated recreation and tourism are within or recommended for addition to units of the State Park System, this plan designates or co-designates many other areas for dispersed recreation and tourism activities such as backcountry skiing, hiking, snowmachining, or sightseeing.

**F. Rivers.** Rivers on the Kenai Peninsula offer many excellent recreation and tourism opportunities for fishing, floating, and powerboating. Many rivers on the Kenai Peninsula also support significant sport and commercial fisheries. These include the Kenai River, Anchor River, Kasilof River, Ninilchik River, Deep Creek and Stariski Creek, and their system of tributaries that maintain populations of steelhead, rainbow trout, Arctic char, and salmon. In addition to providing people with recreation and work opportunities, these fisheries support populations of brown bears and birds. The mouths of the Kenai River, Anchor River, Ninilchik River and Kasilof River are heavily used for beachcombing and other types of recreation. Sixmile Creek is one of many popular whitewater rafting and kayaking destinations.

The plan requires 400-foot-wide buffers (200 feet landward from ordinary high water on either side of the waterbody) of riparian habitat along anadromous and high-value resident fish streams to maintain and protect fish habitat. These buffers apply to conveyances to municipalities, individuals and other entities. The beds of the Kasilof, Ninilchik, Stariski, Deep Creek, Russian, and Anchor rivers are designated Public Recreation and Tourism - Dispersed Use and Fish and Wildlife Habitat and Harvest. The state-owned beds of the anadromous portions of these rivers and within 200 feet of these rivers are also subject to leasehold location orders. Their riverbeds are also recommended for closure to new mineral entry by the legislature. In addition, the plan provides for protection of other waterbodies, either through Fish and Wildlife Habitat and Harvest designations or through guidelines that are designed to protect riverbanks.

**G. Public Use Cabins and Hut-to-Hut Systems.** Although there are numerous public use cabins in the planning area located on lands in the State Parks, Chugach National Forest, and National Wildlife Refuges, none are located on lands managed by the Division of Mining, Land and Water. Public use cabins may be authorized on lands managed by the division in cooperation with the borough, federal government, DPOR or local non-profit organization. In the Caribou Hills some trespass cabins may be converted into public use cabins. Hut-to-hut systems to be run as private profit-making recreational facilities or as non-profit facilities may also be authorized along existing and future trails.